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Massachusetts Department of Environmental Protection

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Patrick Administration Proposes to Reduce River Pollutants Through Statewide Stormwater Management Program

The Patrick Administration today unveiled a comprehensive statewide program to reduce stormwater runoff that pollutes rivers and streams, requiring all privately owned developments with large paved surface areas to address the causes of stormwater pollution.

The new Stormwater Management Program, made public today by the Department of Environmental Protection (MassDEP), will help clean up watersheds throughout Massachusetts by requiring owners of large parcels to control phosphorus and other pollutants before the stormwater runs off their property. The stormwater program will have the added benefit of recharging groundwater aquifers as measures are taken to redirect runoff away from nearby surface waters and back into the ground.

The Charles River, which suffers severe impairment from stormwater pollution resulting in dramatic algae blooms, will come in for particular attention, with MassDEP setting more stringent standards in the Charles River watershed that correspond with a new program launched by the U.S. Environmental Protection Agency (EPA) focusing on three communities in the Upper Charles.

“Many of our state’s waters are severely degraded as a result of stormwater pollution,” said Energy and Environmental Affairs Secretary Ian Bowles. “Now is the time to take action to reduce pollution and return more water to the ground, where it will be cleaned naturally and added to our water supplies.”

When it rains, stormwater runoff from impervious surfaces – roadways, parking lots and roofs – carries pollutants such as nutrients, chemicals, fertilizers and pet droppings into lakes, rivers and streams. Stormwater is an old problem, but today it is the number one cause of water pollution in the Commonwealth, representing 60 percent of the pollutants that damage water quality and cause toxic algae blooms that kill fish and close waterways to recreational activities.

“Until now, managing stormwater has largely been the responsibility of the cities and towns,” said MassDEP Commissioner Laurie Burt. “It is critical now for other property owners to step up to the plate and do their part. This new program creates a level playing field by requiring that the responsibility for managing stormwater be shared by municipalities and private property owners.”

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The new stormwater general permit program will require all private property owners of impervious surfaces of five acres or greater to implement good housekeeping practices, such as regular parking lot sweeping. The program also requires new developments and redevelopments with impervious surfaces five acres or greater to meet the new stormwater standards, which build on the success of MassDEP's Wetland Program that has long required controls for stormwater runoff. The new program will provide a range of tools, or "best management practices," property owners can use to achieve compliance, such as rain gardens and infiltration basins that capture runoff, and green technologies such as rain barrels that reuse or recycle the rainwater.

In the area of the Charles River, where more acute problems resulting from stormwater persist, private property owners of impervious surfaces two acres or greater will be required to implement good housekeeping practices, meet the new stormwater standards, and install stormwater control systems within 10 years. MassDEP's program will be conducted in conjunction with related actions by the EPA in the Charles River watershed, where stormwater containing high levels of phosphorus has contributed to toxic algae blooms in the summer. EPA permits will require that parcels in Charles River communities – starting with Milford, Franklin and Bellingham – reduce phosphorus discharges by 65 percent.

"Polluted stormwater runoff causes serious water quality problems, and is the next great challenge for cleaning the Charles River," said Robert Varney, regional administrator of EPA's New England office. "By working closely with Massachusetts and our other partners, we will make great environmental improvements, while at the same time providing municipalities and property owners with flexibility and time to meet the new standards. Working together cooperatively, we can solve these problems."

"We applaud the Commonwealth for its leadership in developing a comprehensive statewide strategy to reduce stormwater pollution. This bold new approach will ensure that the largest single source of water pollution in Massachusetts is significantly reduced in urban and rural rivers alike," said Bob Zimmermann, executive director of the Charles River Watershed Association. "And, with more aggressive action required in the entire Charles River watershed, the program will accelerate efforts to restore this valuable resource, consistent with the strong steps taken by EPA today."

"Stormwater regulations that are protective of our water resources are critical for the sustainability of our communities," said Christine Tabak, executive director of the Merrimack River Watershed Council. "We look forward to working with MassDEP and our communities to advance our mission to protect the Merrimack River and promote the health of its watershed."

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In cooperation with EPA, MassDEP has developed a pilot project of Best Management Practices and will assist the towns of Milford, Franklin and Bellingham in meeting their stormwater reduction targets under state and federal regulations and increasing groundwater recharge in the Charles River basin.

The size of the facilities to be covered in the Charles River watershed is based on extensive scientific study by MassDEP and EPA, known as Total Maximum Daily Loading (TMDL). A TMDL determines the maximum amount of a pollutant that can be discharged to a water body and still meet water quality standards.

MassDEP's stormwater regulation was drafted following a robust stakeholder process, which began in early 2008 and involved representatives from businesses, academia, municipalities and environmental groups.

A public comment period and public meetings will be held soon at sites across the Commonwealth. A copy of the draft stormwater regulation can be found at:

<http://www.mass.gov/dep/service/regulations/newregs.htm#storm>

MassDEP is responsible for ensuring clean air and water, safe management and recycling of solid and hazardous wastes, timely cleanup of hazardous waste sites and spills, and the preservation of wetlands and coastal resources.

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